

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:14-CV-00195-RLV-DCK**

ECLIPSE PACKAGING, INC., D/B/A)
FLEXSOL PACKAGING,)
))
Plaintiff,)
))
v.)
))
STEWARTS OF AMERICA, INC. AND)
INDUSTRIAL BRUSH CO., INC.,)
))
Defendants.)
_____)

ORDER

THIS MATTER IS BEFORE THE COURT on Defendant Stewarts of America’s Motion for Approval of *Supercedas* Bond (the “Motion”). [Doc. No. 81]. Defendant moves the Court under Rule 62 of the Federal Rules of Civil Procedure, and requests that execution of the Amended Judgment (Doc. No. 78) be stayed pending the disposition of the Defendant’s appeal of this matter to the United States Court of Appeals for the Fourth Circuit. *See* [Doc. No. 81].

In support of its Motion, the Defendant has presented the Court with a *supercedas* bond (Bond No. B-1231178) (hereinafter, the “Bond”) in the total amount of \$467,086.05, thereby naming the Cincinnati Insurance Company as surety. [Doc. No. 81-1] at p. 1. The Bond is intended to secure, pending appeal, the satisfaction of the Court’s Amended Judgment, which was entered in Plaintiff’s favor in the amount of \$358,184.01, along with any attendant interest and costs. *Id.* The Court is aware of no compelling reason to deny the request for a stay of execution.

Accordingly, the Court having considered the Motion, and all relevant matters of record,

IT IS HEREBY ORDERED THAT

- (1) The Bond is **APPROVED**; and
- (2) The execution of the Amended Judgment is **STAYED** until further order of the Court, pursuant to Rule 62(d) of the Federal Rules of Civil Procedure.

SO ORDERED.

Signed: August 15, 2016

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

